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SMITH'S FOOD & DRUG CENTERS, INC.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Victoria Rose, an individual,

Plaintiff,

v.

Smith's Food & Drug Centers, Inc., a foreign
corporation; ;DOES 1 through 10; and ROE
CORPORATIONS 11 through 20, inclusive,

Defendant(s).

Case No. 2:24-cv-00273-JAD-DJA

STIPULATION TO EXTEND
DISCOVERY DEADLINES
[FIRST REQUEST]

WHEREAS, counsel for both Plaintiff and Defendant both had a turnover in members of their
respective office staffs which caused delays in discovery for this case; and

WHEREAS, counsel and their clients have been involved in settlement discussions which the
parties hope to conclude before identifying experts in order to save costs with the hope of resolving this
matter without having to retain experts;

IT IS HEREBY STIPULATED AND AGREED by and between Defendant SMITH'S FOOD
& DRUG CENTERS, INC., by and through its counsel, JERRY S. BUSBY, ESQ., of the law firm
COOPER LEVENSON, P.A., and Plaintiff VICTORIA ROSE, by and through her counsel,
MICHAEL T. NIXON, ESQ. of the LADAH LAW FIRM that discovery be extended for an
additional sixty days (60) days, as set forth below, to allow the Parties time to complete necessary
discovery prior to trial.

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I. STATEMENT SPECIFYING DISCOVERY THAT HAS BEEN COMPLETED

To date, the Parties have completed the following discovery:

- Both Parties attended the FRCP 26(f) initial case conference.
- Both Parties served their FRCP 26(a) initial disclosures.
- SMITH'S propounded written discovery upon Plaintiff.
- Plaintiff has propounded written discovery upon Defendant.
- The Parties are working to schedule Plaintiff's deposition.
- The Parties have met and conferred in good faith regarding reasonable discovery remaining to be completed and a reasonable timeline for the completion of remaining discovery.

II. SPECIFIC DESCRIPTION OF DISCOVERY THAT REMAINS TO BE COMPLETED

The Parties have yet to complete the following discovery:

- The Parties need to collect Plaintiff's relevant medical records.
- SMITH'S will notice and conduct the deposition of Plaintiff.
- Plaintiff will notice and conduct the deposition of SMITH'S FRCP 30(b)(6) representative(s).
- The Parties will notice and conduct the depositions of percipient witnesses and store employees.
- SMITH'S will assess the need for and, if necessary, conduct an independent medical examination of Plaintiff pursuant to FRCP 35.
- The Parties intend to retain and designate initial and rebuttal expert witnesses.
- SMITH'S intends to depose Plaintiff's key medical providers.
- The Parties intend to depose disclosed expert witnesses.
- The Parties intend to serve supplements to written discovery responses and disclosures.
- The Parties will assess the need for and, if appropriate, propound additional written discovery requests.
- The Parties will assess the need for additional discovery and conduct same accordingly.

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PROPOSED NEW DISCOVERY DEADLINES

Close of Discovery	October 7, 2024
Amend Pleadings	closed
Initial Expert Disclosure	August 6, 2024
Rebuttal Expert Disclosure	September 6, 2024
Dispositive Motions	November 4, 2024
Pre-Trial Order	December 6, 2024

IT IS SO STIPULATED.

Respectfully submitted this ____ day of May, 2024.

LADAH LAW FIRM

COOPER LEVENSON, P.A.

/s/ Michael T. Nixon
MICHAEL T. NIXON, ESQ.
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Attorneys for Defendant
SMITH'S FOOD & DRUG CENTERS, INC.

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

DATE: 5/29/2024